

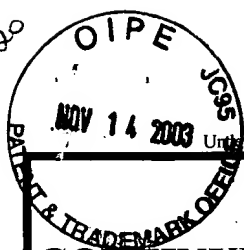
NOV 17 2003

PTO/SB/30 (10/01)

Approved for use through 10/31/2002. OMB 0651-0037

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|------------------|
| Application Number | 09/596,479 |
| Filing Date | June 19, 2000 |
| First Named Inventor | Audonnet, et al. |
| Group Art Unit | 1648 |
| Examiner Name | Mary Mosher |
| Attorney Docket Number | 454313-2200.1 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under CFR 1.114.

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on ____
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____
- iii. ☐ Other ____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other ____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to
Deposit Account No. 50-0320.

- b. ☒ Check in the amount of \$770.00 is enclosed for the following:

- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other ____

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

11/18/2003 JADD01 00000029 09596479

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------------|-----------------------------------|-------------------|
| Name (Print/Type) | Thomas J. Kowalski | Registration No. (Attorney/Agent) | 32,147 |
| Signature | | Date | November 14, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail No.: EV287820302US

| | |
|-------------------|-------------------|
| Name (Print/Type) | Saddam Ahmed |
| Signature | |
| Date | November 14, 2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jean-Christophe AUDONNET et al.
Serial No. : 09/596,479
Filing Date : June 19, 2000
For : CANINE HERPESVIRUS BASED RECOMBINANT LIVE VACCINE,
IN PARTICULAR AGAINST CANINE DISTEMPER, RABIES OR
THE PARAINFLUENZA 2 VIRUS
Examiner : Mary Mosher
Art Unit : 1648

745 Fifth Avenue, New York, NY 10151

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Date of Deposit: November 14, 2003

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Saddam Ahmed
(Typed or printed name of person mailing paper or fee)

Saddam
(Signature of person mailing paper or fee)

AMENDMENT AND RESPONSE TO ADVISORY ACTION
WITH REQUEST FOR EXTENSION OF TIME

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Advisory Action dated November 13, 2003, and further to the Notice of Appeal filed on April 15, 2003. This Amendment accompanies a Request for Continued Examination.

PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. §1.136(a), a five-month extension of the period for reply, *i.e.*, up to and including November 15, 2003, is requested. A check for \$1,900.00 (the difference between the fees for a five-month extension and a one-month extension, which was paid on July 15, 2003) in payment of the fee under §1.17(a) is enclosed. The Commissioner is authorized to charge any additionally required fee for the extension, or any other fee occasioned by this paper, or credit any overpayment in such fees to Deposit Account No. 50-0320.